

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LEOVY, et al.,  
Plaintiffs,  
v.  
GOOGLE LLC,  
Defendant.

Case No. [23-cv-03440-EKL](#)

**ORDER SETTING BRIEFING  
SCHEDULE ON CONSOLIDATION  
AND COORDINATION**

ZHANG, et al.,  
Plaintiffs,  
v.  
GOOGLE LLC, et al.,  
Defendants.

Case No. [24-cv-02531-EKL](#)

The Court has reviewed the joint case management statements filed in the related actions, *Leovy v. Google LLC*, Case No. 5:23-cv-03440-EKL (ECF No. 63), and *Zhang v. Google LLC*, Case No. 5:24-cv-02531-EKL (ECF No. 45). Google has raised that it may move to consolidate the two cases. *See Leovy v. Google LLC*, ECF No. 63 at 5. The *Leovy* Plaintiff intends to oppose consolidation but agrees “that discovery should be coordinated in the two related cases, even if they are not consolidated.” *Id.* at 5-6. The *Zhang* Plaintiffs “do not believe that consolidation is appropriate at this time.” *Zhang v. Google LLC*, ECF No. 45 at 4. The *Zhang* Plaintiffs do not address coordination of discovery in the case management statement, but they previously argued that “the discovery process for the two actions will involve fundamentally different types of evidence, technical details, and expert analyses.” *Leovy v. Google LLC*, ECF No. 56 at 4.

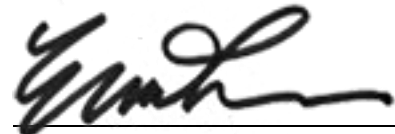
Having reviewed the parties' statements, the Court would like to consider consolidation of the two actions or, in the alternative, coordination of discovery. Accordingly, the Court ORDERS as follows:

- (1) By October 9, 2024, Defendants shall file a motion to consolidate, not to exceed fifteen (15) pages.
- (2) By October 25, 2024, the *Leovy* and *Zhang* Plaintiffs shall file a joint response to the motion to consolidate, not to exceed fifteen (15) pages. The Court will not consider separate submissions, but the joint response may include separate sections stating the respective position of each set of Plaintiffs. Plaintiffs shall also state their position(s) regarding coordination of discovery in the event the cases are not consolidated.
- (3) By November 5, 2024, Defendants shall file a reply in support of the motion to consolidate, not to exceed seven (7) pages.
- (4) On December 18, 2024, at 10:00 a.m., the Court will hear argument on Defendants' motions to dismiss and to consolidate the *Leovy* and *Zhang* actions.

Additionally, the parties in both actions shall appear for an initial case management conference on February 5, 2025, at 1:30 p.m. via Zoom. The Court will provide further guidance regarding the initial case management conference at or after the December 18 motion hearing.

**IT IS SO ORDERED.**

Dated: September 19, 2024



Eumi K. Lee  
United States District Judge